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Attorneys for the United States

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

13 UNITED STATES OF AMERICA,) No. CR 08-00353 DLJ
14 Plaintiff,)
15 v.) UNITED STATES' INFORMATION FOR
16 DEANDRI MARQUIS BILLY INCREASED PUNISHMENT BY
17 MILLARD,) REASON OF PRIOR FELONY DRUG
18 Defendant.) CONVICTION UNDER 21 U.S.C. § 851

INFORMATION

21 Pursuant to the provisions of 21 U.S.C. § 851, the United States Attorney files this
22 Information alleging that:

23 1. The defendant, Deandri Marquis Billy Millard, was convicted on or about May 3,
24 2007, in the Superior Court of California, County of Contra Costa, Case Number 02-287927-8,
25 of a felony violation of Section 11350(b) of the California Health and Safety Code, specifically,
26 possession of methaqualone. Attached as Exhibit 1 are court documents establishing this
27 conviction.

1 2. Because of this prior felony drug conviction, the defendant is subject to
2 increased punishment pursuant to the provisions of 21 U.S.C. §§ 841(b)(1)(A) and 851
3 if he is convicted of the violation of 21 U.S.C. § 841(a)(1), distribution of cocaine base in the
4 form of crack cocaine, as charged in Count One of the Indictment filed on May 28, 2008, namely,
5 a mandatory minimum 20-year term of imprisonment; a fine not to exceed \$8,000,000; and a
6 mandatory minimum 10-year term of supervised release.

7 3. The United States Attorney hereby gives notice to the defendant and his
8 counsel that if the defendant is convicted of Count One of the Indictment, the United States
9 intends to rely on his prior felony drug conviction in seeking enhanced punishment at the time of
10 sentencing pursuant to the provisions referenced herein.

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JOSEPH P. RUSSONIELLO
United States Attorney

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Dated: 7/24/08


W. DOUGLAS SPRAGUE
Chief, Oakland Branch

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(Approved as to form: G.H.


AUSA GARTH HIRE

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EXHIBIT 1

SUPERIOR COURT OF CALIFORNIA, COUNTY OF CONTRA COSTA
RICHMOND

THE PEOPLE OF THE STATE OF CALIFORNIA,
VS.

DEANDRI MARQUISE MILLARD,
DEFENDANT. /

NO. 287927-8
DA NO. R 05 008451-7
COMPLAINT - FELONY

01) H&S 11351.5
02) H&S 11352(a)
03) H&S 11379(a)
04) CVC 14601.1

M

5) 11350(b) F

The undersigned states, on information and belief, that (6) 11350(b) F
DEANDRI MARQUISE MILLARD, Defendant, did commit a felony, a violation
of HEALTH AND SAFETY CODE SECTION 11351.5 (POSSESSING COCAINE BASE
FOR SALE), committed as follows:

On or about July 23, 2005, at El Cerrito, in Contra Costa County, the
Defendant, DEANDRI MARQUISE MILLARD, did unlawfully possess for sale
and purchase for purposes of sale Cocaine Base, a controlled
substance.

COUNT TWO:

The undersigned further states, on information and belief, that
DEANDRI MARQUISE MILLARD, Defendant, did commit a felony, a violation
of HEALTH AND SAFETY CODE SECTION 11352(a) (SELLING/TRANSPORTING
CONTROLLED SUBSTANCE), committed as follows:

On or about July 23, 2005, at El Cerrito, in Contra Costa County, the
Defendant, DEANDRI MARQUISE MILLARD, did unlawfully transport, import
into the State of California, sell, furnish, administer, and give
away, and did unlawfully offer and attempt to transport, import,
sell, furnish, administer, and give away Cocaine Base, a controlled
substance.

THE FOREGOING INSTRUMENT IS A
CORRECT COPY OF THE ORIGINAL
ON FILE IN THIS OFFICE

ATTEST: MAY 24, 2008.

CLERK OF COURT
SUPERIOR COURT OF CALIFORNIA
COUNTY OF CONTRA COSTA, RICHMOND

Dennis Clerk

CONTRA COSTA COUNTY, CALIFORNIA

PEOPLE V. DEANDRI MARQUISE MILLARD

PAGE 2

NO. 287927-8

DA NO. R 05 008451-7

COUNT THREE:

The undersigned further states, on information and belief, that DEANDRI MARQUISE MILLARD, Defendant, did commit a felony, a violation of HEALTH AND SAFETY CODE SECTION 11379(a) (SELLING/DISTRIBUTING/TRANSPORTING CONTROLLED SUBSTANCE), committed as follows:

On or about July 23, 2005, at El Cerrito, in Contra Costa County, the Defendant, DEANDRI MARQUISE MILLARD, did unlawfully transport, import into the State of California, sell, furnish, administer, and give away Methamphetamine, a controlled substance, and did unlawfully offer and attempt to transport, import into the State of California, sell, furnish, administer, and give away Methamphetamine.

COUNT FOUR:

The undersigned further states, on information and belief, that DEANDRI MARQUISE MILLARD, Defendant, did commit a misdemeanor, a violation of VEHICLE CODE SECTION 14601.1 (SUSPENDED OR REVOKED LICENSE), committed as follows:

On or about July 23, 2005, at El Cerrito, in Contra Costa County, the Defendant, DEANDRI MARQUISE MILLARD, did unlawfully drive a motor vehicle when His driving privilege was suspended or revoked for a reason other than those listed in section 14601(1) and 14601.2 of the Vehicle Code and with knowledge of such suspension and revocation.

FILED
JUL 25 2005
K. TORRE, CLERK OF THE COURT
SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF CONTRA COSTA, RICHMOND
By _____ Deputy Clerk

COMPLAINANT REQUESTS THAT DEFENDANT(S) BE DEALT WITH ACCORDING TO LAW.
I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND
CORRECT.

DATED: July 25, 2005

AT RICHMOND, CALIFORNIA

Det. P. Keith
OFFICER P. KEITH
COMPLAINANT
FOR

STACEY GRASSINI/pl
DEPUTY DISTRICT ATTORNEY

EL CERRITO POLICE DEPARTMENT

NOTICE, SENTENCE, COMMITMENT FORM

CLERK'S DOCKET AND MINUTES

PA RATE-H

DEFENDANT MILLARD, DEANDRI MARQUISE
 ADDRESS 142 CHINOCURPIN COURT
 ROC SET FEL PROB
 CUSTODIAL STATUS SECOND
 CHARGES 01 F H&S 11351.5
 04 M CVC 14601.1

DEPT. 024 DATE 10/20/2005 TIME 1:30 PM
 HERCULES CA 94567 DOB 03/23/1984
 PD-ZAMBRAK TIME WAIVED
 02 F H&S 11352(a) 03 F H&S 11379(a)
 TARGET 1 B

JUDGE PETER A. BERGER *John H. Sugiyama*
 ASSIGN. 27 JUDGE PETER A. BERGER

PROCEEDINGS

COURT REPORTER

L. Contestable DEPUTY CLERK

MINUTES CERTIFIED-CORRECT
John H. Sugiyama

COURT REPORTER

L. Contestable, #23 DEPUTY CLERK

R. Spears

APPLICABLE ENTRIES MARKED

A <input type="checkbox"/> Deft. proceeds in PRO PER	A <input type="checkbox"/> Answers true name as charged	W <input type="checkbox"/> Bench/Arrest Warrant to Issue
P <input checked="" type="checkbox"/> Deft. appears <input type="checkbox"/> In custody <input type="checkbox"/> Deft. not appearing	R <input type="checkbox"/>	A <input type="checkbox"/> Bail Set at \$
E <input checked="" type="checkbox"/> With Atty./Pub. Def. ADO <i>Zambra</i>	R <input type="checkbox"/>	R <input type="checkbox"/> Recalled <input type="checkbox"/> Set Aside <input type="checkbox"/> Remain Out
A <input checked="" type="checkbox"/> Deputy Dist. Atty. <i>Davis</i>	A <input type="checkbox"/> Waives Arr/reading of Complaint	A <input type="checkbox"/> No PTA Release <input type="checkbox"/> No Vol. App.
A <input type="checkbox"/> Court Probation Off.	I <input type="checkbox"/> Handed copy of Complaint/Disclosure	N <input type="checkbox"/> Hold until
C <input type="checkbox"/> Interp. <input type="checkbox"/> sworn/oath on file	M <input checked="" type="checkbox"/> Deft. duly arr. <input type="checkbox"/> Video <input type="checkbox"/> on Prob. Vlo.	O <input type="checkbox"/> Bail forfeit & continued 180 days <input checked="" type="checkbox"/> Bail Exon
E <input type="checkbox"/> Cert. <input type="checkbox"/> Non-Cert. <input type="checkbox"/> Qualified per Rule 984.2	E <input type="checkbox"/> Deft. waives arr. on amended complaint	B <input type="checkbox"/> Bail forfeiture set aside & reinstated
E <input type="checkbox"/> Order <input type="checkbox"/> Int. <input type="checkbox"/> Int. Coord. notified	T <input type="checkbox"/>	R <input type="checkbox"/> upon payment of fee \$

R <input type="checkbox"/> Referred To: PUBLIC DEFENDER	W <input checked="" type="checkbox"/> Written Plea filed <input type="checkbox"/> Pleads Guilty, Ct. # <i>5,6</i>	C <input checked="" type="checkbox"/>
R <input type="checkbox"/> Referred To: PROB. Bail Study/PPR	I <input checked="" type="checkbox"/> Pleads No Contest, Found Guilty, Ct. # <i>5,6</i>	C <input type="checkbox"/>
E <input type="checkbox"/> Referred per <input type="checkbox"/> 288.1 PC <input type="checkbox"/> 1368 PC	E <input type="checkbox"/> Pleads Not Guilty, Ct. #	C <input type="checkbox"/>
E <input type="checkbox"/> Adult Pre-Trial/PC 1000 Diversional eligibility	R <input type="checkbox"/> Jury Trial Waived/Demanded	C <input type="checkbox"/>
R <input type="checkbox"/> Pub. Def. Conflict Filed; Appointed ADO	P <input type="checkbox"/> Time for Trial/Sent Waived/Not Waived	C <input type="checkbox"/>
A <input type="checkbox"/> Report to _____ for booking	E <input type="checkbox"/> Time for PX 10/60 Days Waived/Not Waived	C <input type="checkbox"/>
S <input type="checkbox"/> 977 waiver filed <input type="checkbox"/> 170.6 PC filed/oral	A <input type="checkbox"/> Admit/Denies <input type="checkbox"/> Priors/Refusal/Enhance	S <input type="checkbox"/> Def. must <input type="checkbox"/> appear
E <input type="checkbox"/> In re law notice given	T <input type="checkbox"/>	

M <input type="checkbox"/> Pea/Def. Motion to/for/cont.	P <input type="checkbox"/> Court Probation granted for <i>10/24/08</i>	
O <input type="checkbox"/> Submitted with argument <input type="checkbox"/> without argument	R <input type="checkbox"/> Adult Pre-Trial/PC 1000 Diversion granted	
T <input type="checkbox"/> Granted <input type="checkbox"/> Denied <input type="checkbox"/> Submitted <input type="checkbox"/> No Action Taken	O <input type="checkbox"/> Probation/Diversion/Reinstated/Modified/Extended to _____	
O <input type="checkbox"/> Grounds: _____	A <input type="checkbox"/> Original terms in full force and effect except as ordered.	
N <input type="checkbox"/> D.A. Motion to file amended complaint	I <input type="checkbox"/> Deft. given/waived rights to Revoc. Hg; Admits/Denies allegations	
D <input checked="" type="checkbox"/> Complaint amended on its face to add Ct. # <i>5,6</i>	N <input type="checkbox"/> Prob. Revoked: <input type="checkbox"/> Def. found in violation of probation	
R <input type="checkbox"/> a violation of section <i>H.S. 11350(b) Fel</i>	O <input type="checkbox"/> Probation/Diversion: Terminated: Successfully/Unsuccessfully/Denied	
D <input type="checkbox"/> Pursuant to 23103.5CvC <i>H.S. 11350(b) Fel</i>	P <input type="checkbox"/> Pay Prob. Vlo. fine of \$ _____ <input type="checkbox"/> Upon payment of fine/completion of jail sentence	
B <input type="checkbox"/> Strike the words felony and feloniously. Substitute the word misdemeanor wherever it appears in Complaint.	R <input type="checkbox"/> Criminal Proceedings Reinstated/Dismissed	
P <input checked="" type="checkbox"/> Per Court OA dismiss, Complaint Ct. # <i>1,2,3,4</i>		
C <input type="checkbox"/> Criminal Protective Order issued and served		

F <input type="checkbox"/> Pay a fine of \$ _____ <input type="checkbox"/> Rest. Fine of _____	C <input type="checkbox"/> Be Imprisoned _____ days/months/years	O <input type="checkbox"/> Obey all laws.
I <input type="checkbox"/> Pay \$10 cite fee/\$25 Booking Fee/ \$ _____ CJA Fee	M <input type="checkbox"/> _____ days/months/years credit	R <input type="checkbox"/> Do not use any alcohol. Do not
N <input type="checkbox"/> Pay balance of fine/ <input type="checkbox"/> In lieu of fine <input type="checkbox"/> Susp. \$ _____ after fine.	M <input type="checkbox"/> _____ days/months/years suspended	C <input type="checkbox"/> go to places where alcoholic
S <input type="checkbox"/> Make monthly payments to CCU P.O. Box 2526 Martinez, CA 94553	T <input type="checkbox"/> Sentence to commence _____	N <input type="checkbox"/> beverages are the chief item of sale.
D <input type="checkbox"/> Phone (925) 646-1951 by _____	M <input type="checkbox"/> Serve consecutive/concurrent	D <input type="checkbox"/> Attend _____ AA/NA
D <input type="checkbox"/> hours Volunteer work by _____ Fee \$ _____	N <input type="checkbox"/> with _____ <input type="checkbox"/> with any sentence	T <input type="checkbox"/> meetings per week and present
R <input type="checkbox"/> Re-sent/reinstate to Level I/Level II/PCDDP	T <input type="checkbox"/> Main Jail <input type="checkbox"/> Electronic Home Detention	O <input type="checkbox"/> proof at each court appearance.
S <input type="checkbox"/> Referred to ORC for Attorney Fee Costs of \$ _____	M <input type="checkbox"/> WAP Contact CAB immediately / within 15 days.	N <input type="checkbox"/> Submit to search and testing
F <input type="checkbox"/> Licensee Suspended/Revoked _____ months/years	D <input type="checkbox"/> Day for day credit for time served in approved residential	R <input type="checkbox"/> Destroy <input type="checkbox"/> Return weapon
S <input type="checkbox"/> DL310/DL309 Served <input type="checkbox"/> Advised 14607.8 CVC	program. Proof by _____	C <input type="checkbox"/> Stay away from _____
S <input type="checkbox"/> Pay fine/comply or appear on _____ at _____		

<input type="checkbox"/> REMANDED to County Jail: <input type="checkbox"/> Ordered released <input type="checkbox"/> On OR <input type="checkbox"/> Promise to Appear <input type="checkbox"/> Def. to be allowed _____ phone calls	
Bail Set in the amt. of \$ <i>1000</i> <input type="checkbox"/> Court Courtesy <input type="checkbox"/> State Prison Commitment <input type="checkbox"/> Committed to custody until sentence is satisfied in full	

TO THE SHERIFF: COMMITMENT: I hereby certify that this is a true copy of the Entry of Judgment or Order and is your authority for the execution thereof.

 See other minute pages for additional proceedings.DATED: *10/20/08*

(JUDGE OF THE SUPERIOR COURT)

CRIM. MINUTES (4/01)

CR. 2008

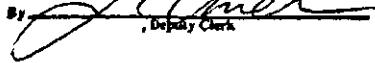
MILLARD-0051



THE FOREGOING INSTRUMENT IS A
CORRECT COPY OF THE ORIGINAL
ON FILE IN THIS OFFICE

ATTEST MAY 15 2008

K. TORRE, CLERK OF THE COURT
SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF CONTRA COSTA

By  Deputy Clerk

Superior Court of California, County of Contra Costa
FELONY ORDER OF PROBATION

DEFENDANT MILLARD, DeAndra M. MARQUIS DOCKET NO. 2-2930581 DEPT: 12
 The above named defendant having been convicted in this court of the offense(s) of violation(s)
CVC 2800.2(b), H&S 11350.5, H&S 11350.6, CCR 16020.3, H&S 11350.1

IT IS ORDERED THAT: imposition execution of sentence be suspended during period of probation with the following terms and conditions:

TERMS OF PROBATION: (Applicable Items Checked):

1. STATE PRISON - EXECUTION SUSPENDED - Fixed Term of: _____ yrs/months California Department of Corrections.
- FORMAL PROBATION GRANTED: Conditional and revocable release in community with Probation supervision except as specified by the Court.
- COURT PROBATION GRANTED: Conditional and revocable release in community without Probation supervision except as specified by the court.

For a period of 2 months/years from the date of this order.

STANDARD TERMS (see reverse for standard terms and additional instructions)

2. REVIEW DATE: _____
- Defendant must appear in Court.
- Defendant need not appear unless directed by DPO.

JAIL/FINE/VOLUNTEER WORK/ RESTITUTION

3. Be IMPRISONED 365 hrs / days / months
 10 hrs / days / months credit.
 _____ hrs / days / months suspended.
- Sentence to commence 6/8/07 5:00 pm
- Serve consecutive / concurrent with 000-000-000
 any imposed sentence.
- Other _____
- Main Jail Work Alternative Program
 Electronic Home Detention in _____ County allowed.
- Contact Custody Alternative Bureau (CAB) within 15 days
- Remain in custody in the Contra Costa County Jail pending possible release by the Probation Officer to a residential treatment program and balance of remaining jail sentence be suspended.
- Day for day No credit for time served in approved residential program unless successfully completed.
- OTHER: \$20.00 S.P. per Count
- Pay a FINE of \$ _____
- Suspend payment of \$ 200.00 (Revocation)
- Pay RESTITUTION FINE of \$ 200.00
- Make monthly installments to Court Collections & Compliance Unit
 Complete payments by 2 years upon release

- Pay to Clerk of Court by _____
- Probation to terminate upon payment of fine/completion of jail sent.
- _____ days jail concurrent / consecutive in lieu of fine.
- OTHER: _____
- Perform _____ hrs VOLUNTEER COMMUNITY SERVICE
 In lieu of fine OTHER: _____
 Show proof of completion to Court or DPO by _____
- Make RESTITUTION of \$ _____ to _____
 Make RESTITUTION as determined by the Probation Officer.
 Show proof of restitution to Court or DPO by _____
 Honor any civil judgments as a result of this conviction.
- OTHER: _____
- Submit your person, place of residence, storage locker or any vehicle under your control to search and seizure at any time of day or night, with or without warrant, to any peace officer.
 for alcoholic beverages Drugs
- Not use or possess any dangerous drugs, narcotics, or narcotic paraphernalia without prescription

9. Not have checking or charge accounts, or possess, control or have custody of checks/credit cards except checks payable to you.
10. Do not own or possess or control any firearm or weapon.
11. Weapon ordered confiscated destroyed
 returned to _____
12. Do not annoy/harass/threaten/contact _____
13. Contact Probation Officer within 5 (five) days.
14. Cost of Probation \$ _____
15. Abstain from the use of alcoholic beverages.
16. Submit to drug/alcohol detection tests as directed by DPO or any peace officer and pay costs not to exceed \$10.00 _____
17. Not go places where alcoholic beverages are the chief item of sale.
18. Pay a laboratory analysis fee (H&S 11372.5) of \$ _____ and a drug education fee (H&S 11372.7) of \$ _____.
19. Not associate with _____ or with any individuals designated in writing by the Probation Officer.

PROGRAM TERMS

20. Register per H&S 11590 PC 457.1 PC 290
21. Submit to all tests and pay all fees as directed by DPO.
- 22a. Report to Post Conviction Drinking Driver's Program within 10 days and comply with its rules and fee requirements.
- 22b. Attend Domestic Violence Program.
23. Participate in counseling as directed by the Probation Officer and not leave or terminate program without permission.
24. OTHER: _____

DRIVING TERMS

25. Driving privilege restricted for _____ to / during / from:
 Employment, treatment program School
26. Driving privilege suspended / revoked for _____
27. Not drive a motor vehicle unless properly licensed and insured.
28. Not drive vehicle with any measurable alcohol in blood.
29. If arrested for a violation of 23152 or 23153 CVC, not refuse a chemical test for the detection of alcohol.

ADDITIONAL TERMS

Submit DNA pursuant to PC 296

Although not a condition of Probation, you are ordered to pay the following fees: \$25 Booking \$10 Cite CJA \$ _____
 Other fees \$ _____ Cost of Probation \$ _____ month
 Court security fee \$ _____

I HAVE READ AND RECEIVED A COPY OF THESE CONDITIONS OF PROBATION AND I UNDERSTAND AND AGREE TO PERFORM THEM AND UNDERSTAND THAT IF I FAIL TO DO SO, MY PROBATION MAY BE REVOKED AND I MAY BE SENTENCED TO JAIL OR SENTENCED AS OTHERWISE PROVIDED BY LAW.

DEFENDANT'S SIGNATURE DeAndra Millard

SOC. SEC. # _____ DOB _____

ADDRESS _____

CITY _____ ST _____ ZIP _____

HOME PH. _____ MSG. PH. _____

COMMITMENT: TO THE SHERIFF: I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE COPY OF THE ENTRY OF JUDGMENT OR ORDER AND IS YOUR AUTHORITY FOR THE EXECUTION THEREOF.

Charles S. Frent

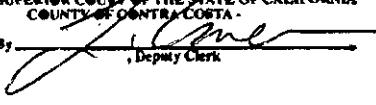
5/31/07
 DATED
 5/31/07



THE FOREGOING INSTRUMENT IS A
CORRECT COPY OF THE ORIGINAL
ON FILE IN THIS OFFICE

ATTEST MAY 15 2008

K. TORRE, CLERK OF THE COURT
SUPERIOR COURT OF THE STATE OF CALIFORNIA
COUNTY OF CONTRA COSTA

By 
, Deputy Clerk